

REMARKS

Favorable consideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-13 and 30-45 are presently active in this application, with Claims 14-29 and 46-57 withdrawn from the consideration, and Claim 1 amended by the present Amendment.

In the outstanding Office Action, Claims 1-13 and 30-45 were objected to; Claims 1-13 and 41-45 were rejected under 35 U.S.C. §102(b) as being anticipated by Nishi, et al. (U.S. Patent No. 6,002,467, hereinafter Nishi); Claims 2-7 and 33-40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nishi; Claims 8, 9, 12 and 30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nishi in view of Muraki (U.S. Patent No. 6,166,387); and Claims 8-10 and 30-32 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nishi in view of Ota (U.S. Patent No. 5,506,684); and Claim 11 was indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants gratefully acknowledge the indication of the allowable subject matter.

Claim 1 is amended to more clearly describe and distinctly claim Applicants' inventions. Support for this amendment is found in Applicants' originally filed specification. No new matter is added. Applicants submit that this amendment overcomes the outstanding objection to Claim 1.

Briefly recapitulating, amended Claim 1 is directed to an exposure apparatus that performs a static exposure of a substrate via a mask with an energy beam in a state where the mask and the substrate are substantially stationary. The exposure apparatus includes a projection optical system having an image field of which a portion is illuminated with the energy beam during the static exposure and has same size and shape as an area on a substrate

exposed in one shot by a scanning exposure in a scanning exposure apparatus, different from the exposure apparatus, that synchronously moves a mask pattern and the substrate for the scanning exposure. The exposure apparatus also includes a masking device provided on an optical path through which the energy beam passes to define the illuminated portion in the image field so that the area is exposed with the energy beam through the projection optical system by the static exposure. The exposure apparatus also includes a substrate stage on which the substrate is placed. The claimed device provides for reduced residual errors.¹

Nishi describes a scanning exposure apparatus.² However, Nishi does not disclose or suggest “an exposure apparatus that performs a static exposure of a substrate via a mask with an energy beam in a state where said mask and said substrate are substantially stationary,” as recited in amended Claim 1. Furthermore, Nishi does not disclose or suggest that a portion of an image field is “illuminated with the energy beam during the static exposure has same size and shape as an area on a substrate exposed in one shot by a scanning exposure in a scanning exposure apparatus,” as recited in amended Claim 1. Applicants further submit that Muraki and Ota do not cure the deficiencies of Nishi.

As none of the cited prior art, individually or in combination, disclose or suggest all the elements of independent Claim 1, Applicants submit the inventions defined by Claim 1, and all claims depending therefrom, are not anticipated and are not rendered obvious by the asserted prior art for at least the reasons stated above.³

¹ Specification, page 10, lines 1-14.

² Nishi, Figure 1.

³ MPEP § 2142 “...the prior art reference (or references when combined) must teach or suggest **all** the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).”

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Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for allowance.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Masayasu Mori
Registration No. 47,301
Michael E. Monaco
Registration No. 52,041

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
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